

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Stanley Lee Moultrie,	)	C/A No.: 9:14-1690-JFA-BM
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
Director William Byars, Jr., South Carolina	)	
Department of Corrections Director, et al.	)	
	)	
Defendants.	)	
	)	

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The *pro se* plaintiff, Stanley Lee Moultrie, is an inmate with the South Carolina Department of Corrections. He brings this civil action pursuant to 42 U.S.C. § 1983 raising various claims of constitutional violations including interference with legal mail and Eighth Amendment claims for excessive force and deliberate indifference to medical needs.

The plaintiff has filed an interlocutory appeal with the Fourth Circuit Court of Appeals challenging the Magistrate Judge's July 7, 2014 order (ECF No. 37) denying plaintiff's motion to amend his complaint. Now before this court is an unrelated motion for a preliminary injunction.

The Magistrate Judge assigned to this action<sup>1</sup> has prepared a Report and Recommendation and opines that the plaintiff's motion for a preliminary injunction should

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<sup>1</sup> The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

be denied. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the Report and Recommendation and he has timely done so.

In his motion for injunctive relief, the plaintiff contends that he is in security lockup and as a result is not being provided with adequate access to law books and/or legal assistance. He also seeks a transfer to another institution.

The Magistrate Judge has carefully reviewed the motion under the appropriate standards of law and opines that the plaintiff is not entitled to relief.

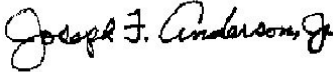
The plaintiff objects to the Report of the Magistrate Judge, essentially repeating all the arguments made in his initial motion for a preliminary injunction. As such, the plaintiff's objections are overruled.

After carefully reviewing the applicable laws, the record in this case, the Report and Recommendation, and the objections thereto, this court adopts and incorporates the Report herein by reference.

Accordingly, plaintiff's motion for a preliminary injunction (ECF No. 39) is denied.

IT IS SO ORDERED.

September 8, 2014  
Columbia, South Carolina

  
Joseph F. Anderson, Jr.  
United States District Judge